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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,236	02/13/2002	Joseph A. Tabe		4447

7590 08/09/2004
JOSEPH TABE
SUITE 315
525 THAYER AVENUE
SILVER SPRING, MD 20910

EXAMINER

GOINS, DAVETTA WOODS

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,236

Applicant(s)

TABE, JOSEPH A.

Examiner

Davetta W. Goins

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities:

(The Marked Copy)

In claim 1, line 9, the claimed "communication means" should read as
"communication signal"

In line 23, after the claimed "e." and before the claimed "internal", the word "an"
should be inserted.

In line 35, after the claimed "i." And before the claimed "database", an "a" should
be inserted.

In line 46, after the claimed "I" a "." (period) should be inserted.

2. Claim 15 is objected to because of the following informalities: In lines 16, 21,
add, "said auditory" before the words "communication signal".

Appropriate correction is required.

Allowable Subject Matter

3. The following is a statement of reasons for the indication of allowable subject
matter: Upon the corrections made to claim 1, with respect to the minor informalities
stated above, claims 1-9 would be Allowable. Kawasaki (691) discloses a voice warning
device that will alert the driver of various conditions within the vehicle via voice warning
producing means 4. Durley et al. (269) discloses a vehicle safety sensor for a school bus,
in which a voice warning will be output from speakers located around the bus such that

Art Unit: 2632

the sound will be broadcast to nearby persons located on the outside of the bus (col. 39, lines 16-67; col. 40, lines 1-58). However, neither Kawasaki nor Durley et al. disclose in their entirety the claimed switch terminal means responsible for energizing a communication signal ; a logic switch means for identifying the energized communication signal indicative of coded data transmission responsible for enabling at least a defined voice auditory in response to at least a predetermined mechanical operation of the vehicle, at least a central processing unit for relaying and for retrieving the energized signal indication of communication with plurality switches responsive for initiating human voice auditory response, means for transforming the energized communication signal into pre-selective human voice auditory signal, an internal logical interface means, at least a voltage suppressor means in communication with the internal logical interface means, a braking means in communication with at least a braking chip, wherein the braking chip enables communication with the central processing unit, an automatically controlling means in communication with at least a switch terminal means, a database means responsive for a data dictionary, the data dictionary defining unique and prescribed human voice auditory messages, a human voice auditory sound chip, a processing means in communication with the database system.

4. Claims 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2632

5. The following is a statement of reasons for the indication of allowable subject matter: Kawasaki (691) discloses a voice warning device that will alert the driver of various conditions within the vehicle via voice warning producing means 4. Durley et al. (269) discloses a vehicle safety sensor for a school bus, in which a voice warning will be output from speakers located around the bus such that the sound will be broadcast to nearby persons located on the outside of the bus (col. 39, lines 16-67; col. 40, lines 1-58). However, neither Kawasaki nor Durley et al. disclose in their entirety the claimed step of activating a switch terminal, providing current pulses from a switch terminal to a receiving means for transmitting "a" signal to at least a device for initiating responses responsive for outputting voice auditory communication signal; transforming the current pulses into control energy responsible for enabling communication signal, and dividing the energy into a predetermined controlled energy and comparing the energy with pre-selected data representation of the energy source for generating communication signal.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasaki (691) in view of Durley et al. (269).

Art Unit: 2632

In reference to claims 10-14, Kawasaki discloses a) the claimed human voice auditory sound chip, which is met by voice warning reproducing means 4 (col. 3, lines 31-49), b) the claimed means for enabling at least a discernible message, which is met by the audio reproducing means 6 (col. 3, lines 31-49; col. 4, lines 31-64), c) the claimed speaker means for broadcasting the discernable message, which is met by speaker 2108 for voice warning and broadcast reproduction (col. 12, lines 13-26), and d) the claimed central processing unit for coordinating and processing signal communication, which is met by controller 2 determining which item is to be warned in response to the input signal from each sensor 1 (col. 3, lines 31-49). Although Kawasaki does not specifically disclose the claimed school bus vehicle for outputting the broadcasting message or plurality industrial vehicles for outputting the broadcasting message, he does disclose a plurality of sensors 1, within a vehicle, such as for detecting a vehicle door ajar, parking brake position, position of the ignition switch, the fuel level, etc. connected to a controller 2 that will produce a voice warning upon any of the detected sensors (col. 3, lines 16-68; col. 4, lines 1-53). Durley et al. discloses a vehicular safety sensor and warning system for a "conventional" school bus (a bus including a stop sign) in which the school bus includes a plurality of sensors mounted around the bus to detect nearby persons (pedestrians) and will broadcast an audible voice warning to alert those persons that they are near the bus and need to back away from the bus (col. 39, lines 16-67; col. 40, lines 1-58). Since Kawasaki discloses the use of a voice audible warning system operated upon sensed vehicle conditions, both electrical and mechanical, in use for one vehicle, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using the system for a school bus, as disclosed by Durley, as well with

Art Unit: 2632

any number of vehicles (plurality) to ensure that all types of vehicles will have the ability of warning the driver and/or pedestrians of any problem associated with the vehicle that may cause a hazardous situation.

8. With respect to independent claim 10, a preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 703-306-2761. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 703-308-6730. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAVETTA W. GOINS
PRIMARY EXAMINER

Davetta W. Goins

D.W.G.
July 13, 2004

Davetta W. Goins
Primary Examiner
Art Unit 2632

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